

SEP 06 2011

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION

JULIA C. DUBLEY, CLERK  
BY: *[Signature]*  
DEPUTY CLERK

NATHANIEL T. RIVERS  
Petitioner,

v.

DIRECTOR, DEPARTMENT OF  
CORRECTIONS,  
Respondent.

Civil Action No. 7:11-CV-00153

**FINAL ORDER**

By: Hon. James C. Turk  
Senior United States District Judge

In accordance with the accompanying Memorandum Opinion entered this day, it is hereby

**ADJUDGED and ORDERED**

that Respondent's motion to dismiss (Dkt. No. 8) is **GRANTED** and Petitioner Nathaniel T. Rivers' petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254 (Dkt. No. 1) is **DENIED**. Further, Petitioner is advised that a Certificate of Appealability is **DENIED**.

The Clerk is directed to strike this case from the Court's active docket and send copies of this Order and accompanying Memorandum Opinion to Petitioner and counsel of record for Respondent.

ENTER: This 6<sup>th</sup> day of September, 2011.

*[Signature]*  
Senior United States District Judge